

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1996

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Legislative Document

No. 1698

H.P. 1238

House of Representatives, January 11, 1996

**An Act to Expedite the Decision-making Process for Disability Retirement under the Maine State Retirement System.**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26. Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative HATCH of Skowhegan.  
Cosponsored by Senator RAND of Cumberland and  
Representatives: LUTHER of Mexico, PENDLETON of Scarborough, SAMSON of Jay.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 5 MRSA §17106, sub-§1**, as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

6 **1. Establishment.** The board shall designate a medical board  
or boards to be composed of 3 physicians not eligible to  
8 participate in the retirement system.

10 **Sec. 2. 5 MRSA §17925, sub-§1, ¶A**, as enacted by PL 1989, c.  
12 409, §§8 and 12, is amended to read:

14 A. The executive director shall submit the application and  
all pertinent medical and psychological information to the  
16 medical board for review within 30 days of receipt as  
required by section 17106, subsection 3.

18 **Sec. 3. 5 MRSA §17929, sub-§1**, as enacted by PL 1989, c. 409,  
20 §§8 and 12, is amended to read:

22 **1. Beginning.** Payment of disability retirement benefits  
shall ~~begin~~ begins on the first day of the month following the  
date of termination of active service of the member, ~~but not more~~  
24 ~~than 6 months before the date of receipt by the executive~~  
~~director of the written application, by or on behalf of the~~  
26 ~~member, for disability retirement, unless it is shown that,~~

28 ~~A. It was not reasonably possible to file the application~~  
~~for disability retirement benefits within the 6-month~~  
30 ~~period; and~~

32 ~~B. The application was made as soon as reasonably possible.~~

34 **STATEMENT OF FACT**

36 The purpose of this bill is to expedite the decision-making  
38 process for disability retirement under the Maine State  
Retirement System. This bill:

40 1. Permits the Board of Trustees of the Maine State  
42 Retirement System to designate additional medical boards to  
review applications for disability retirement;

44 2. Requires that the executive director of the system  
46 submit to the medical board within 30 days of receipt  
applications for disability retirement; and

48 3. Eliminates language that limits, except in certain  
50 circumstances, the payment of disability retirement benefits to

2 not more than 6 months before the date of receipt by the executive director of the written application.